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**CONTINUED PROSECUTION APPLICATION (CPA)  
REQUEST TRANSMITTAL**Submit an original, and a duplicate for fee processing  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))CHECK BOX,  
if applicable:  
☐ DUPLICATE

ADDRESS TO: <b>Box CPA</b> <b>Assistant Commissioner for Patents</b> <b>Washington, D.C. 20231</b>	Attorney Docket No.	BSC-011	<b>RECEIVED</b> <b>DEC 14 1999</b> <b>Group 3700</b>
	First Named Inventor	Crowley	
	Examiner Name	D. Shay	
	Group Art Unit	3739	

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d),  
(continued prosecution application (CPA)) of prior application number 08/922,263,  
filed on September 2, 1997, entitled Interventional Photonic Energy Emitter System.

**NOTES**

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either:  
(1) complete as defined by 37 C.F.R. § 1.51(b), or (2) the national stage of an international application in compliance with  
35 U.S.C. 371. A notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the  
patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior  
application of a CPA may have been filed before, on or after June 8, 1995.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be  
filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon  
the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation,  
divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by  
the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR  
1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or  
similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the  
specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered.  
A request for a CPA is the specific reference required by 35 U.S.C., 120 and to every application assigned the application  
number identified in such request, 37 CFR 1.78(a).

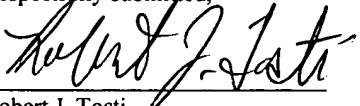
1. ☐ Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 CFR 1.116 in the prior nonprovisional application.
2. ☒ A preliminary amendment is enclosed.
3. ☐ This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4).
  - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:  
\_\_\_\_\_
  - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent is enclosed.
5. ☐ Information Disclosure Statement (IDS) is enclosed:
  - a. ☐ PTO-1449
  - b. ☐ Copies of IDS Citations

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01 FC:131  
02 FC:102  
03 FC:103760.00 OP  
234.00 OP  
414.00 OP

	(1) CLAIMS	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c))	43 - 20 =	23	x \$ 18 =	\$ 414.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	6 - 3 =	3	x \$ 78 =	\$ 234.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 260 =	\$
				BASIC FEE (37 CFR 1.16(a))	\$ 760.00
	Total of above Calculations =				\$ 1,408.00
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).				\$
	TOTAL =				\$ 1,408.00

6. ☐ Small entity status:
- a. ☐ A small entity statement is enclosed.
- b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- c. ☐ is no longer claimed.
7. ☒ A check in the amount of \$1,408.00 is enclosed.
8. ☒ The Commissioner is hereby authorized to credit overpayments or charge any additional fees required under 37 CFR 1.16 to Deposit Account No. 20-0531.
9. ☒ A copy of the Petition and Fee for Extension of Time for 3 months up to and including December 30, 1999 which was filed for the immediately prior application is enclosed herewith.
10. a. ☐ Receipt for Facsimile Transmittal CPA (PTO/SB/29A).
- b. ☒ Return Receipt Postcard.

CORRESPONDENCE ADDRESS	SIGNATURE BLOCK
Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibault, LLP High Street Tower 125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100	Respectfully submitted,  Date: December 9, 1999 Reg. No. 35,393 Tel. No.: (617) 248-7374 Fax No.: (617) 248-7100 Robert J. Tosti Attorney for the Applicant Testa, Hurwitz & Thibault, LLP High Street Tower 125 High Street Boston, MA 02110



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#8/B

PATENT  
BSC-011

Particulars of prior application:

Serial No.: 08/922,263

Filing Date: September 2, 1997

Examiner: D. Shay of Art Unite 3737

Status: Pending

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

DEC 14 1999

APPLICANT: Crowley  
SERIAL NO.: 08/922,263 GROUP NO.: 3739  
FILING DATE: September 2, 1997 EXAMINER: D. Shay  
TITLE: INTERVENTIONAL PHOTONIC ENERGY EMITTER SYSTEM

Group 3700

Box CPA  
Assistant Commissioner for Patents  
Washington, D.C. 20231

PRELIMINARY AMENDMENT

Prior to examination, please enter this Preliminary Amendment and consider the accompanying remarks. A Continued Prosecution Application Request is filed herewith and within six months of a final Office Action in the parent application. A copy of the petition for a three-months extension of time up to and including December 30, 1999 was filed for the immediately prior application.

AMENDMENT

In the Claims:

Please cancel claims 2, 13, 18, 19, 31, 45, 46, and 51, without prejudice.

Please amend claim 1 as follows:

(Amended) An interventional device, comprising:  
a sonoluminescent light module for placement inside a body, the module comprising  
(i) an acoustic transducer for generating sound waves;

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